IN THE HIGH COURT OF JUDICATURE AT BOBBY

CRIMINAL APPELLATE JURISDICTION

CRI.APPLICATION NO. 4796 OF 2004

IN

Cri. Application No. 4102/2004

Smt. Suvarna Bhanudas Patil ..Applicant.

V/s.

Anandrao Bapuso Patil & Anr. ..Respondents

Shri Sudatta Patil for the Applicant.
Miss. Manisha Patil for Respondent No.1.
Shri A.S. Gadkari, APP for Respondent No.2 State.

CORAM : A.M.KHANWILKAR, J.
DATED : DECEMBER 10, 2004

PC :-

. Heard learned counsel for the parties. I see no reason to recall the order so as to cancel the bail already granted by this court on 12th October, 2004. Before passing the said order, I had occasion to peruse the original record with the assistance of the learned APP, who was appearing in the case for the State and statements of the concerned witnesses were seen; and having noticed that two different versions were forthcoming, on fair reading of the said material, I thought it appropriate to give benefit to the Applicant, Respondent No.1 herein, so as to

release him on bail. While releasing the said accused on bail, I was conscious about the seriousness of the offence for which reason I imposed strict conditions to be abided by the accused, which include not to enter the jurisdiction of the concerned police station of Sangli, except for attending court proceedings; and not to influence the prosecution witness or temper with the prosecution evidence with direction that the Accused shall extend full co-operation for early disposal of the trial. In these circumstances, I see no reason to cancel the bail already granted. Hence, rejected.

. At this stage counsel for the Applicant submits that it may be clarified that the trial court shall not be influenced by the observations made in this order. Needless to observe that the opinion recorded for the purpose of considering the bail application is only tentative and prima facie and the trial court is expected to decide the trial on the basis of evidence before it and on its own merits, in accordance with the law.

. The application is disposed of accordingly.

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